

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SYMBOLOGY INNOVATIONS LLC,

Plaintiff,

v.

DURACELL INC.,

Defendant.

C.A. No. 19-1021-RGA

**JURY TRIAL DEMANDED**

**DURACELL MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Defendant Duracell U.S. Operations, Inc. (“Duracell”)<sup>1</sup> respectfully moves this Court to dismiss Plaintiff Symbology Innovations LLC’s Complaint, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for failure to state a claim upon which relief can be granted.

The grounds for this motion are further set forth in Duracell’s Opening Brief in Support of its Motion to Dismiss for Failure to State a Claim, which is being filed contemporaneously herewith.

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<sup>1</sup> Duracell Inc. is a non-existent legal entity.

Dated: June 25, 2019

**FISH & RICHARDSON P.C.**

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